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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MAGNIFY INC., et al.,

Defendants.

Adv. Pro. No. 10-05279 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF DEFENDANTS ROBERT H. BOOK AND R.H. BOOK LLC
WITH PREJUDICE FROM ADVERSARY PROCEEDING**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Robert H. Book and R.H. Book LLC, by and through their counsel, Kobre & Kim LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 6, 2010, the Trustee filed and served the Complaint in the above-captioned adversary proceeding against defendants Robert H. Book, Robert H. Book LLC, and others.

2. On September 21, 2011, the Trustee filed an Amended Complaint in the above-captioned adversary proceeding.

3. On April 16, 2012, Defendants Robert H. Book and R.H. Book LLC filed an Answer, Affirmative Defenses, and Cross-Claims in the above-captioned adversary proceeding.

4. On May 28, 2014, the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].

5. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii) and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate that the Trustee dismisses with prejudice this action solely as to Defendants Robert H. Book and R.H. Book LLC, without costs or attorneys’ fees to any of the Parties.

6. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and

parties of interest.

7. Upon the dismissal of Defendants Robert H. Book and R.H. Book LLC, the caption of the above-referenced adversary proceeding is hereby amended to delete Defendants Robert H. Book and R.H. Book LLC from the caption. The amended caption of the above-captioned adversary proceeding shall appear as indicated in Exhibit A to this Stipulation and Order.

8. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: June 6, 2014

BAKER & HOSTETLER LLP

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Attorneys for Robert H. Book and R.H. Book LLC

SO ORDERED

/s/ STUART M. BERNSTEIN

HON. STUART M. BERNSTEIN

UNITED STATES BANKRUPTCY JUDGE

Dated: June 6th, 2014
New York, New York